

FILED

2011 AUG -9 PM 3:08

CLERK US DISTRICT COURT
WESTERN DISTRICT OF TEXAS

BY _____ DEPUTY

IN THE
UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

VICTOR A. VERTUCCI and
MARY K. VERTUCCI
Plaintiff,

v.

PHL VARIABLE
LIFE INSURANCE COMPANY,

Defendant.

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C.A. NO. A:09-CV-00908LY


ORDER GRANTING AGREED MOTION TO DISMISS WITH PREJUDICE

BEFORE THE COURT is the parties' Agreed Motion to Dismiss with Prejudice. After considering the Motion, and noting the parties' agreement, the Court finds that the Motion is well taken and should be GRANTED.

IT IS THEREFORE ORDERED that Plaintiffs' and Defendant's Agreed Motion to Dismiss With Prejudice is GRANTED and this cause is DISMISSED WITH PREJUDICE to the re-filing of same. All costs incurred are taxed against the party incurring same.

THIS IS A FINAL JUDGMENT.

SIGNED this 9th day of August 2011


Hon. LEE YEAKEL
United States District Judge